

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FREE HOLDINGS INC.,

*Plaintiff,*

-against-

KEVIN McCOY and SOTHEBY'S INC.,

*Defendants.*

ECF CASE

Case No.: 1:22-cv-00881

**STIPULATION AND  
[PROPOSED] ORDER**

**WHEREAS**, on or about February 1, 2022, plaintiff Free Holdings Inc. (“Plaintiff”) filed its Complaint against defendants Kevin McCoy (“McCoy”), Sotheby’s Inc. (“Sotheby’s”), Nameless Corporation (“Nameless”) and Alex Amsel (“Amsel”); and

**WHEREAS**, on or about March 7, 2022, Plaintiff voluntarily dismissed the action, without prejudice, against Amsel; and

**WHEREAS**, on or about April 1, 2022, McCoy, Sotheby’s and Nameless jointly filed a pre-motion to dismiss letter with the Court seeking to dismiss all claims in the Complaint; and

**WHEREAS**, on or about April 13, 2022, the Court so ordered a Stipulation between the parties providing that: (i) Plaintiff could file an Amended Complaint by May 9, 2022; (ii) McCoy’s, Sotheby’s and Nameless’s deadline to answer, move or otherwise respond to the initial Complaint was adjourned *sine die*; and (iii) the parties were to confer to set a new deadline for McCoy, Sotheby’s and Nameless to answer, move or otherwise respond to the anticipated Amended Complaint; and

**WHEREAS**, on or about May 9, 2022, Plaintiff voluntarily dismissed the action, with prejudice, against Nameless; and

**WHEREAS**, on May 9, 2022, Plaintiff filed its Amended Complaint against McCoy and Sotheby’s; and

**WHEREAS**, Plaintiff, McCoy and Sotheby's have conferred to set a deadline for McCoy and Sotheby's to answer, move or otherwise respond to the Amended Complaint.

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between Plaintiff, McCoy and Sotheby's, that McCoy and Sotheby's shall each (or jointly) answer, move or otherwise respond to the Amended Complaint by June 30, 2022.

Dated: New York, New York  
May 16, 2022

FALCON RAPPAPORT & BERKMAN PLLC

By: /s/Moish E. Peltz/  
Moish E. Peltz  
([mpeltz@frblaw.com](mailto:mpeltz@frblaw.com))  
1185 Avenue of Americas  
New York, New York 10036  
Tel: (212) 203-3255

*Attorneys for Plaintiff*

PRYOR CASHMAN LLP

By: /s/William L. Charron/  
William L. Charron  
([wcharron@pryorcashman.com](mailto:wcharron@pryorcashman.com))  
7 Times Square  
New York, New York 10036  
Tel: (212) 421-4100

*Attorneys for Defendant McCoy*

ARNOLD & PORTER KAYE SCHOLER LLP

By: /s/Evan Rothstein/  
Evan Rothstein (*pro hac vice*)  
([evan.rothstein@arnoldporter.com](mailto:evan.rothstein@arnoldporter.com))  
1144 Fifteenth Street, Suite 3100  
Denver, CO 80202  
Tel: (303) 863-2308

*Attorneys for Defendant Sotheby's Inc.*

SO ORDERED:

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U.S.M.J.

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Dated